

Ordinance No. _____

ORDINANCE: To grant Text Amendment
Application No. TXT2008-
00220, Mayor and Council of
Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, 20850, filed Text Amendment Application TXT2008-00220 for the purpose of amending Section 25-1 "Definitions," of Chapter 25, "Zoning and Planning," of the Rockville City Code, by to adding a definition of "porch", amending the definition of "encroachments, permitted" so as to increase the distance by which certain steps, stoops and porches may encroach into the front and rear yard setback, and by making certain grammatical modifications pertaining to permitted encroachments; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of April 9, 2008, and recommended approval of the application, with certain modifications, as set forth in a memorandum to the Mayor and Council dated April 10, 2008; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on April 21, 2008, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on April 21, 2008, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, as amended, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Text Amendment Application No. TXT2008-00220, be, and the same is hereby, granted, as amended, by amending Section 25-1 "Definitions" of Chapter 25, "Zoning and Planning," of the Rockville City Code, to amend the definition of "Encroachment, permitted" and to add a definition of "Porch" to read as follows:

Encroachment, permitted, means a structure or part of a structure which may encroach into a side, rear or front setback space. Permitted encroachments are limited to the following:

(1) * * *

(2) * * *

(3) * * *

(4) * * *

(5) Porches, steps and stoops in residential zones: [Uncovered steps, stoops, and porches extending into the front or rear setback not more than nine (9) feet;]

[(6) Steps, stoops, and porches extending not more than four (4) feet into the side setback if such steps, stoops, or porches are not more than eight (8) feet wide. Such entryways may be covered, but not enclosed.]

(a) Uncovered steps, stoops, and porches extending into the front yard setback not more than twelve (12) feet, or extending not more than nine (9) feet into the rear yard setback.

(b) Covered unenclosed steps, stoops and porches
extending into the front yard setback not more than twelve (12) feet.

(c) Porches, steps and stoops extending not more than four
(4) feet into the side yard setback if such steps, stoops, or porches are not more
than eight (8) feet wide. Such entryways may be covered, but not enclosed.

[(7)] (6) * * *

[(8)] (7) * * *

[(9)] (8) * * *

[(10)] (9) * * *

[(11)] (10) * * *

* * *

Porch means a roofed, open area attached to or part of a building, and
with direct access to and from the building.

* * *

NOTE: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

* * * * *

I hereby certify that the foregoing is a true and correct copy of an
ordinance adopted by the Mayor and Council at its meeting of

Claire F. Funkhouser, CMC, City Clerk